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6 Attorneys for Plaintiffs

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9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 DISTRICT COUNCIL 16 NORTHERN  
CALIFORNIA HEALTH AND WELFARE  
12 TRUST FUND, et al.,

13 Plaintiffs,

14 v.

15 S & S FLOORING, INC.,

16 Defendant.

Case No.: C09-2101 SI

**NOTICE OF VOLUNTARY DISMISSAL**

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18 PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1), plaintiffs DISTRICT  
19 COUNCIL 16 NORTHERN CALIFORNIA HEALTH AND WELFARE TRUST FUND, et al.,  
20 voluntarily dismiss, without prejudice, their claim against defendant S & S FLOORING, INC.  
21 Defendant has neither served an answer nor moved for summary judgment, and plaintiffs have not  
22 previously filed or dismissed any similar action against defendant.

23 It is further requested that the Court shall retain jurisdiction over this matter.

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1 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above  
2 entitled action, and that the foregoing is true of my own knowledge.

3 Executed this 8th day of June, 2008, at San Francisco, California.

4 SALTZMAN & JOHNSON  
5 LAW CORPORATION

6 By:   
7 Michele R. Stafford  
8 Attorneys for Plaintiffs

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10 IT IS SO ORDERED.

11 This case is dismissed without prejudice and the Court shall retain jurisdiction over this  
12 matter.

13 Date: \_\_\_\_\_



14 THE HONORABLE SUSAN ILLSTON  
15 UNITED STATES DISTRICT COURT JUDGE  
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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On June 8, 2009, I served the following document(s):

**NOTICE OF VOLUNTARY DISMISSAL**

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Justin W. Storey  
S & S Flooring, Inc.  
1229 Exeter Way  
Brentwood, California 94513**

**Steven Jacobs, Esq.  
Law Offices of Steven Jacobs, Inc.  
14895 E. 14<sup>th</sup> Street, Suite 390  
San Leandro, CA 94578**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 8th day of June, 2009, at San Francisco, California.

\_\_\_\_\_  
/S/  
Qui X. Lu